

**COMBINED DECLARATION AND POWER OF ATTORNEY**  
**FOR PLANT PATENT APPLICATION (Sole Inventor)**

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of a new and distinct variety of a new and distinct variety of an apple tree named 'MC38' which is claimed and for which a plant patent is sought, the specification of which is attached hereto, and that I have reviewed and understand the contents of the above-identified specification, including the claim.

I hereby state that the new and distinct variety was discovered in a cultivated area and was asexually reproduced under my direction and control.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, plant breeders rights certificate, or inventor's certificate listed below and have also identified below any foreign application for patent, plant breeders rights certificate, or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority  
Claimed

(Number)

(Country)

(Day/Month/Year Filed)

Yes

No

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application, to file a corresponding international application, and to transact all business in the Patent and Trademark Office connected therewith:

Customer Number:



**24197**

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Full Name of Sole Inventor: Allan D. McLean

Inventor's Signature

\_\_\_\_\_ Date

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